

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

Bail Appl..No. 1421 of 2007()

CRIME NO.9/07 OF PANOOR POLICE STATION

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: PETITIONERS/ACCUSED

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1. KATTINTAVIDA JAGADHESH @ JAGI,
AGED 27 YEARS, S/O. KUMARAN,
KATTINTAVIDA HOUSE, PANOOR AMSOM,
ELANGODE DESOM.
 2. KATTINTAVIDA ANOOP, S/O. ANANDAN,
AGED 24 YEARS, KATTINTAVIDA HOUSE,
PANOOR AMSOM, ELANGODE DESOM.
 3. KAPPUMCHALIL VIJESH @ BIJU,
S/O. BHASKARAN, AGED 29 YEARS,
KAPPUMCHALIL HOUSE, PANOOR AMSOM,
ELANGODE DESOM.
 4. KAKKAT AKILESH @ KUTTESH,
S/O. KARUNAN, AGED 23 YEARS, KAKKAT HOUSE,
PANOOR AMSOM, ELANGODE DESOM, KANNUR DISTRICT.
 5. MAMMERIPOYI MANEESH, S/O. KRISHNAN,
AGED 27 YEARS, MAMMERIPOYIL HOUSE,
PANOOR AMSOM, ELANGODE DESOM, KANNUR DISTRICT.
 6. MEETHALEPURAYIL NIJESH @ NIJI,
AGED 25 YEARS, S/O. BALAKRISHNAN,
KALARIKKUNYIL HOUSE, PANOOR AMSOM,
ELANGODE DESOM.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.
(CRIME NO.9 OF 2007 OF PANOOR POLICE STATION).

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

.....
B.A. No. 1421 OF 2007
.....

Dated this the 9th day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners, who are accused Nos.2, 3, 4, 6, 7 and 12 in Crime No.9/2007 of Panoor Police Station for offences punishable under Secs.143, 147, 148, 323, 324, 341, 326 and 307 read with 149 I.P.C., seek their enlargement on bail.

2. Learned Public Prosecutor opposed the application.

3. The occurrence took place on 13.1.2007 at about 10.20 a.m. when the de facto complainant riding on a motor cycle and the pillion rider were attacked with iron road, sword stick, etc. by 16 named accused persons and 4 other identifiable persons. Pillion rider has sustained multiple fracture on parietal bone and a nasal fracture besides other injuries. The de facto complainant has also sustained grave injuries. Considering the facts and circumstances of the case including the daring manner in which the attack amounted on the injured and the duration of the custody of the petitioners, I am inclined to grant bail to the petitioners only from a future date and on strict conditions safeguarding the interest of the prosecution. Accordingly, the petitioners are directed to be released on bail with effect from 15.3.2007 on each of

them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the Additional Chief Judicial Magistrate, Thalassery and subject to the following conditions:

- a. The petitioners shall report before the C.I. of Police, Panoor between 9 a.m. and 11 a.m. on all Wednesdays.
- b. The petitioners shall not enter the limits of the Panoor Police Station until further orders except for the purpose of complying with condition No.1.
- c. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.
- d. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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